

## **Jury Frequently Asked Questions (FAQs)**

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### **Where did you get my name for jury duty?**

Your name was taken from the Guam Voters Registration List. A random selection was made to ensure that a pool of prospective participant was selected from a fair cross-section of the community.

### **Who is considered “Qualified” for jury duty?**

The Court will deem any person qualified to serve on grand or petit juries in the District Court ***unless*** he or she:

- Is not a citizen of the United States
- Is less than eighteen (18) years old
- Has not resided within this district for a period of one (1) year
- Is unable to read, write, and understand the English language with a degree of proficiency sufficient to satisfactorily fill out the jurors’ qualification form
- Is unable to speak the English language
- Is incapable, by reason of mental or physical infirmity, to render satisfactory jury service
- Has a charge pending against him or her for the commission of, or has been convicted in a State, Federal, Territorial, or Commonwealth Court of record, of a crime punishable by imprisonment for more than one year and his or her civil right has not been restored?

**What are grounds for requesting a permanent excuse, and how do I request for one? You can still choose to serve, even if you fall into one of the following categories.**

- Are more 70 years of age
- Have already served as a grand or petit juror in a State, Federal, Territorial, or Commonwealth Court within the last two (2) years
- Persons having active care and custody of a child or children less than 10 years of age whose health and/or safety would jeopardize by their absence for jury service; or a person who is essential to the care of aged or infirm persons

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- Persons actively practicing or engaged full-time as an attorney, physician, dentist, registered nurse, or member of the clergy or a religious order
- Any person whose services are so essential to the operation of a business, commercial, or agricultural enterprise that it must close or cease to function if such person were required to perform jury service  
Persons who can show “undue hardship or extreme inconvenience” (grave illness in the family or any other emergency which outweighs in immediacy and urgency the obligation to serve as a juror when summoned)
- Volunteer safety personnel. (Personnel who serve without compensation as fire fighters or members of a rescue squad or ambulance crew for a “public agency.”)

### **What are grounds for requesting a temporary excuse, and how do I request for one?**

Temporary excuses, also known as deferrals, can be granted such as a planned vacation, doctors’ appointment, a work-related trip, etc. **A temporary excuse must be requested in writing.** Attach a copy of your itinerary or doctor’s note to your letter. **Please DO NOT wait until the last minute to request an excuse.** Please allow the Court time to review your letter before your reporting date. You may also fax your request to us at 473-9152.

### **How will I be notified of my jury appearance date?**

A jury summons will be mailed to you informing you of the date to report for jury service. On rare occasions, the Court may summon you for jury service by telephone. Such telephonic summonses may provide less than 24 hours notice.

### **Where is the Courthouse located?**

The District Court of Guam is located next to the Kentucky Fried Chicken in Anigua.

### **Where do I park?**

The District Court’s public parking lot is located next to Kentucky Fried Chicken.

### **If asked to report, how many hours will I be at the Courthouse?**

On the first day of jury service, jury duty normally commences at 7:30 a.m. (for morning jury orientation and selection) and 11:30 a.m. (afternoon jury orientation and selection) in our Court. This gives the Jury Administrator time to complete orientation and paperwork before jury selection begins.

Normal jury trial hours begin at 9:00 a.m., with time allowed for lunch and breaks. The number of hours may vary each day. The trial judge will inform you when to leave and report back each day. You should, however, plan and arrange for a full day attendance when summoned for jury service.

### **Where do I report for jury duty?**

When you are instructed to report in for jury duty, please report directly to the Jury Assembly Room, Room 427. The Jury Administrator or other court personnel will record your attendance. **PLEASE BE PROMPT WHEN REPORTING IN.** An orientation will be given to new jurors after attendance is taken.

### **What should I bring with me when I report for jury duty?**

Please bring your Jury Summons and Badge when you report for jury service and some form of picture identification. You may also bring books, magazines or study materials with you.

### **Will I be paid for my jury service?**

A \$40.00 attendance fee is paid for each day you are required to report for jury duty and actually attend the session, whether or not you are selected to serve. The District Court of Guam does not issue or honor any **waivers** of the \$40.00 attendance fee. If you are a federal employee, you are not entitled to receive the attendance fee unless you are in a “**non-pay**” status (e.g., leave without pay, regular day off, etc.) or serving as a juror on a legal holiday. A travel allowance, round trip from your home to the Court, is allowed for residents of Guam. The current rate for this allowance,

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which is payable by the mile, can be found at <http://www.gsa.gov/mileage>. A check for attendance and travel allowance will be processed soon after the conclusion of the trial and mailed to your address.

The \$40.00 per day attendance fee is reportable income on your yearly tax filing. For this purpose, you must keep a record of the amount you receive for jury service. If the total jury attendance fee paid to you equals or exceeded \$600.00 within the tax year, the Court will issue you form MISC 1099, Miscellaneous Income Form.

### **What is the attire for jury duty?**

The District Court of Guam has a dress code which is strictly enforced. Shorts, T-shirts, halter tops, and other brief attire are not permitted to be worn in the courtroom. You may want to bring a sweater or jacket with you for your comfort. Room temperatures in the Courthouse may vary.

### **Are jurors given breaks, and where do we eat for lunch?**

Breaks are given to jurors. We do not provide lunch for jurors unless they are deliberating. There are several fast food restaurants within the Hagatna area. Jurors are also welcome to bring their own lunch and eat in the Jury Assembly Room.

### **Are we allowed to leave the Jury Assembly and Courtroom while on jury duty?**

Once you are attended in the Jury Assembly Room, you cannot leave the Jury Assembly Room. Restrooms and telephone are located in the Jury Assembly Room for jurors' use. Once in the Courtroom, you may leave only when the Judge allows for a break.

### **What if my employer wants proof that I was serving jury duty?**

The Jury Administrator or other court personnel will give you an attendance certificate showing the dates you served. If you are not working, you may wish to keep it for your personal records.

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**Can my employer fire me for reporting in for jury duty?**

No. You have employment protection rights. If your employer threatens to fire you, please bring this matter to the Court's attention.

**After a trial is over, how long is my term of jury service for?**

Your term of service will be for **one month**. If you are chosen for a particular trial that concludes your term of service. However, if you are not chosen for the trial for which you were summoned, your term of service will end after one month.

Upon completion of your term, jurors are dismissed from federal jury service for a period of two years, **if so requested**. We hope that you will find your term of jury service an interesting and satisfying experience.

**How long is my term of service if I was selected to be a grand juror?**

Grand jurors' term of service in this Court is for one (1) year. Upon a motion filed by the U.S. Attorney's Office, grand jurors term of service may be extended an additional six (6) months.

**Can I bring a cellular phone, pager or laptop into the Courthouse?**

**DO NOT** bring cellular phones, pagers, electronic devices or newspapers with you when you report for jury service.

**If I served on jury duty for Superior Court, do I have to serve jury duty for the District Court?**

If you are currently serving as a juror for the Superior Court of Guam, please inform the Jury Administrator or other court personnel. **You cannot serve as a juror for the District Court of Guam while you are currently serving as a juror for the Superior Court of Guam.**

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### **How can my family reach me in case of an emergency?**

In case of an emergency, your family may call the Clerk's Office at 473-9100 or the Jury Administrator's direct line at 473-9138 and any of the staff in the Clerk's Office will give you the message.

### **What happens if I don't report in for jury service?**

If you fail to report for jury service, your name will be forwarded to the Judge for further action, which may include a fine and/or contempt proceedings.

### **What is a petit jury?**

A petit jury is also known as the trial jury. This is the group of people who determine any question or issue of fact in any civil or criminal trial according to law and the evidence introduced at trial. In a criminal trial, the jury determines whether the United States has proved the defendant is guilty beyond a reasonable doubt. In a civil trial, the jury decides which side has established by a preponderance of the evidence, and may also decide that property or money is owed to the prevailing party.

### **What is a grand jury?**

A grand jury is a larger group of people than a trial jury (23 people), and serves for a long period (12 months jury service). The grand jury does not determine the guilt or innocence, but only whether there is probable cause to believe that a crime was committed and that a specific person or persons committed the crime. If the grand jury finds that probable cause does exist, then it will return a written statement of the charges called an "Indictment." After that the accused will either plead guilty or go to trial.

### **What are the different trial types and what is the size of jury for each one?**

A criminal trial consists of 12-person jury plus alternates, and a civil trial consists of 6-person jury plus alternates.

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**REMEMBER:** Jury service is an obligation and a privilege. Your fellow citizens need your assistance. Most individuals who have actually served on a jury agree that it is a very informative and rewarding experience.

If you have any other questions, please contact Marilyn Alcon, Jury Administrator at (671) 473-9138 or Walter Tenorio, Deputy Clerk at (671) 473-9147. Thank you and we look forward to meeting you.